



U.S. Department  
of Transportation  
**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

December 28, 2022

Mr. Alexander J. Kirschling  
Manager - Pipeline Safety Program  
Division of Energy Regulation and Analysis  
Public Service Commission of Wisconsin  
4822 Madison Yards Way  
Madison, Wisconsin 53707-7854

**Re.: PHMSA-2022-0154 - 49 CFR § 193.2321(b)  
Wisconsin Waiver Dockets 6630-PL-2022 and 6650-PL-2022**

Dear Mr. Kirschling:

On November 14, 2022, pursuant to 49 United States Code (USC) § 60118(d), the Pipeline and Hazardous Materials Safety Administration (PHMSA) received your letter stating that the Public Service Commission of Wisconsin (Commission) publicly noticed two (2) state waivers of 49 Code of Federal Regulations (CFR) § 193.2321(b). The Commission noticed the waiver requests received from Wisconsin Electric Power Company (WE-GO) in state waiver docket 6630-PL-2022 and from Wisconsin Gas, LLC (WG) in state waiver docket 6650-PL-2022 (Waivers).<sup>1</sup>

WE-GO and WG are constructing two new peak-shaving liquefied natural gas (LNG) facilities in the Town of La Grange, Walworth County, Wisconsin (Bluff Creek LNG Facility), and the Town of Ixonia, Jefferson County, Wisconsin (Ixonia LNG Facility). The Waivers of 49 CFR § 193.2321(b) are to apply ultrasonic examination in lieu of radiographic examination for certain weld thicknesses ranging between 0.250 to 0.375 inches for the LNG storage tanks at the Bluff Creek and Ixonia LNG Facilities. The ultrasonic examination will be conducted on the 9 percent (%) nickel steel inner tanks at the Bluff Creek and Ixonia LNG Facilities. Section 193.2321(b) requires that applicants utilize the incorporated by reference 11<sup>th</sup> Edition of American Petroleum Institute (API) Standard 620, which limits the use of ultrasonic examination in lieu of radiographic examination to weld thicknesses in the range of 0.375 to 1.75 inches. The 12<sup>th</sup> edition of API Standard 620 allows for the expanded use of ultrasonic examination to include weld thicknesses between 0.250 to 0.375 inches which are contemplated by these Waivers.

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<sup>1</sup> <https://apps.psc.wi.gov/ERF/ERFview/viewdoc.aspx?docid=%20445426>.

Therefore, the relief requested by WE-GO and WG would permit use of ultrasonic examination on 100 percent of inner tank welds (conducted on the 9 % nickel steel inner tanks) at the Bluff Creek and Ixonia LNG Facilities.

The Commission's notice indicated that the Waivers would be granted pending the required 60-day notice and opportunity for PHMSA to object to the Waivers under 49 USC § 60118(d). The Commission included the following Waiver conditions in its Orders applicable to the Bluff Creek and Ixonia LNG Facilities:

- 1) This Order only applies to welds which may be examined by ultrasonic examination in lieu of radiographic examination in the thickness range 0.250 inch to 0.375 inch.
- 2) Ultrasonic examination of LNG storage tank welds in the thickness range 0.250 inch to 0.375 inch shall comply with the 12<sup>th</sup> edition (including addendum 2 (April 2018)) of API Standard 620.
- 3) The applicant shall follow its ultrasonic examination procedures titled "Ultrasonic Method Phased Array Technique API Std 620 Annex U – Austenitic" for ultrasonic examination of welds in the thickness range 0.250 inch to 0.375 inch.
- 4) Nothing in this Order waives the requirement to examine 100 percent of welds on metal LNG storage tanks under 49 CFR § 193.2321(b).
- 5) Ultrasonic examination records must be retained for the life of the facility, and ultrasonic equipment must be calibrated in accordance with 49 CFR § 193.2321(d), including conducting ultrasonic equipment calibrations at the start of usage for each day and at the ending of usage of the ultrasonic equipment for each day.
- 6) This waiver is effective only if approved by PHMSA and is subject to any additional requirements imposed by PHMSA as a condition of its approval.
- 7) All other requirements of 49 CFR Part 193 and incorporated by reference standards still apply.

PHMSA concurs with the above conditions specified in the Commission's Orders, which WE-GO and WG are required to comply with in order to apply the 12<sup>th</sup> edition of API Standard 620 to examine specified welds at the Bluff Creek and Ixonia LNG Facilities. Pursuant to 49 USC § 60118(d), PHMSA does not object to these Waivers.

If you wish to discuss this or any other pipeline safety matter, my staff would be pleased to assist you. Please contact Sentho White, Director of Engineering and Research Division, at 202-366-2415, for technical matters.

Sincerely,

Alan K. Mayberry,  
Associate Administrator for Pipeline Safety